

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JAMES R. HOUSEHOLDER , JR.,

Petitioner,

20cv1115

ELECTRONICALLY FILED

v.

S.P.T. ROBERT GILMORE, JOSH  
SHAPIRO *Attorney General of the State of  
Pennsylvania,*

Respondents.

**ORDER OF COURT**

On July 24, 2020, Petitioner James Householder, Jr. filed a Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus. ([Doc. 1](#)). This matter was referred to United States Magistrate Judge Lisa Pupo Lenihan for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636, and Local Civil Rule 72.

On March 16, 2022, Magistrate Judge Lenihan filed a thorough Report and Recommendation, recommending that the Petition for Writ of Habeas Corpus be denied, and that a certificate of appealability be denied. ([Doc. 21](#)).

Petitioner was notified that pursuant to 28 U.S.C. § 636(b)(1) he had fourteen days to file written objections to the Report and Recommendation. (*Id.*). Petitioner timely filed Objections on March 29, 2022.<sup>1</sup> ([Doc. 22](#)).

After *de novo* review of the Record in this matter, Magistrate Judge Lenihan's Report and Recommendation (Doc. 21), and Petitioner's Objections to Magistrate Judge Lenihan's Report

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<sup>1</sup> Petitioner also filed a Notice of Appeal of the Magistrate Judge's Report and Recommendation on March 27, 2022 ([Doc. 24](#)), which divested this Court of jurisdiction to issue this Order of Court until April 21, 2022, when the United States Court of Appeals for the Third Circuit issued an Order dismissing Petitioner's appeal pursuant to Fed. R. App. 42(b). ([Doc. 26](#)).

and Recommendation (Doc. 22), which the Court finds are meritless, the Court ORDERS that the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 ([Doc. 1](#)) is DENIED, and no certificate of appealability is issued.

It is further ORDERED that the March 6, 2022 Report and Recommendation ([Doc. 21](#)) is adopted as the Opinion of the Court.

The Clerk of Court shall mark this case closed.

SO ORDERED this 22<sup>nd</sup> day of April, 2022.

s/Arthur J. Schwab  
Arthur J. Schwab  
United States District Judge

cc: U.S. Magistrate Judge Lisa Pupo Lenihan

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All ECF Registered Counsel of Record